

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

)
SBFI-NORTH AMERICA, INC.,)
)
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 Plaintiff,)
)
 vs.) Civil Action No.: 1:12-cv-197-MR
)
)
MASS ENGINEERED DESIGN, INC., and)
JERRY MOSCOVITCH,)
)
 Defendants.)
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)

**AGREED MOTION EXTENDING TIME OF
DEFENDANTS MASS ENGINEERED DESIGN, INC.
AND JERRY MOSCOVITCH TO RESPOND TO COMPLAINT**

Plaintiff SBFI-North America, Inc. ("SBFI"), through its undersigned counsel, hereby moves for an Order extending the time for Defendants MASS Engineered Design, Inc. ("MASS") and Jerry Moscovitch ("Moscovitch") (collectively, "Defendants") to respond to the Complaint to December 21, 2012.

In support of this Motion, Plaintiff states as follows:

1. On August 6, 2012, SBFI filed its Complaint against Defendants.
2. At present, the deadline for Defendant MASS to respond to the Complaint is October 22, 2012.

3. It is believed that Defendant Moscovitch will be served with the Complaint on or about October 22, 2012. Defendant Moscovitch and Plaintiff have

agreed that the date for his response to the Complaint will be the same as the date for Defendant MASS.

4. Defendants have informed Plaintiff that Defendants have not yet retained counsel to represent them in this litigation and to request an extension of time in which to respond to the Complaint.

5. Defendants and SBFI are involved in settlement discussions, and Defendants and SFBI have agreed to the proposed extension to December 21, 2012 for Defendants to respond to the Complaint.

6. Because Defendants are not yet represented by counsel, SBFI represented that it would file this Motion to request the Court's approval of the proposed extension to December 21, 2012, and that it would serve Defendants with copies of this Motion and any communications with the Court concerning this Motion electronically at the address stated on the Certificate of Service.

WHEREFORE, SBFI requests that the Court extend the time for Defendants to respond to the Complaint to December 21, 2012.

Dated this 19th day of October, 2012.

/s David M. Carter
David M. Carter - NC Bar No. 8605
Van Winkle, Buck, Wall, Starnes
and Davis, P.A.
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CERTIFICATE OF SERVICE

The undersigned does hereby certify that he has this day electronically served the foregoing AGREED MOTION EXTENDING TIME OF DEFENDANTS MASS ENGINEERED DESIGN INC. AND JERRY MOSCOVITCH TO RESPOND TO COMPLAINT to Defendants MASS Engineered Design, Inc. and Jerry Moscovitch as follows:

Allan Tameshtit
Director of Intellectual Property
MASS Engineered Design Inc.
allant@massedi.com

This the 19th day of October, 2012.

/s David M. Carter